UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA)	
)	
vs.)	No. 3:19-CR-149
)	
PIO JOSE ALEMAN-DUARTE)	

ORDER

Magistrate Judge C. Clifford Shirley filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to the charge in the Indictment; (2) accept Defendant's plea of guilty to the charge in the Indictment, that is, of illegal reentry into the United States in violation of U.S.C. § 1326(a); (3) adjudicate Defendant guilty of the charge set forth in the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [R. 33]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court ACCEPTS and ADOPTS the magistrate judge's report and recommendation [R. 33] pursuant to 28 U.S.C. § 636(b)(1) and ORDERS as follows:

- (1) Defendant's motion to withdraw his not guilty plea to the charge in the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to the charge in the Indictment, that is, of illegal reentry into the United States in violation of U.S.C. § 1326(a), is ACCEPTED;

- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in the Indictment;
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **June 22**, **2020**, **at 1:30 p.m.** before the Honorable Pamela L. Reeves, United States District Judge.

SO ORDERED.

HIEF UNITED STATES DISTRICT JUDGE